

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the matter of</b>	)	
	)	
<b>Revitalization of the AM Radio Service</b>	)	<b>MB Docket No. 13-249</b>
	)	

**COMMENTS OF UNIVERSAL STATIONS LLC**

Universal Stations LLC (“Universal”) submits these comments in the above-captioned proceeding to address some of the revised alternative proposals regarding interference protection to Class A AM radio stations advanced by the Commission in its *Second Further Notice of Proposed Rule Making* (“SFNPRM”) in response to comments submitted to the 2015 *Further Notice of Proposed Rulemaking* (“FNPRM”).<sup>1</sup> Specifically, these comments focus on generally non-controversial proposals relating to AM radio, such as nighttime coverage and elimination of third adjacent channel protection, that are ripe for Commission action and would better serve the public interest.

**General Background**

AM broadcasting in the United States is facing tremendous challenges not only in the form of technical issues but also in the steady onslaught of new and expanded forms of communication that continue to erode AM radio listenership. There are many antiquated and outdated rules governing AM radio that should be modified and updated to be relevant, considering the many technical advancements

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<sup>1</sup> *Revitalization of the AM Radio Service*, Second Further Notice of Proposed Rulemaking, MB Docket No. 13-249, FCC 18-139 (rel. Oct. 5, 2018); *see also Revitalization of the AM Radio Service*, First Report and Order, Further Notice of Proposed Rulemaking, and Notice of Inquiry, 30 FCC Rcd 12145 (2015). These comments are timely submitted pursuant to the Commission’s January 29, 2019 Public Notice extending filing deadlines due to the lapse in government funding. *Revisions to Filing and Other Deadlines Following Resumption of Normal Commission Operations*, Public Notice, DA 19-26 (rel. Jan. 29, 2019).

and problems that have developed in the decades since the FCC adopted the allocation standards still used today.

The Commission recognized the need for change more than five years ago and initiated its “AM Revitalization” efforts in 2013.<sup>2</sup> While the Commission has recently begun adopting rules to address some of the challenges facing AM broadcasters, more needs to be done to enable AM stations to compete in today’s vast media landscape. Cross-band FM translators, for example, have helped in some situations; but in others, such as in the congested northeast corridor, the dearth of available FM frequencies for translators has created “have” and “have-not” stations, where the smaller stations unable to pay top dollar for translators have been effectively shut out. This has further driven down AM viability in those areas and moved more listeners off the AM band and away from the remaining AM stations without FM translators. This has a negative impact on local service, particularly on small AM stations with niche minority audiences not typically served by FM and larger AM stations. These stations are truly “local,” focusing on local communities and issues often ignored by other radio stations and broadcast TV. For example, relaxing protections and allowing Universal Station’s WBWD(AM), Islip, NY improved daytime and nighttime coverage will enhance its ability to better serve the minority South Asian community it currently serves.

#### **Daytime Groundwave Interference Standards Should Be Relaxed**

AM stations need greater flexibility in location and operation to overcome the challenges they face under the antiquated rules currently in place. Universal therefore supports the relaxation of daytime groundwave interference standards as proposed in the SFNPRM. Interference standards, especially to first, second, and third adjacent channel stations continue to be based on outdated AM receiver specifications from the 1950’s. Current AM receivers are far more capable of adjacent channel rejection than those of fifty years ago and adjacent channel interference standards should reflect those differences.

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<sup>2</sup> *Revitalization of the AM Radio Service*, Notice of Proposed Rule Making, 28 FCC Rcd 15221 (2013).

For instance, AM stations operate with less bandwidth (from the original 15kHz to 10kHz or even 5kHz in many cases). With narrower occupied bandwidth, it is easier for receivers to reject adjacent channel interference. Further, the use of newer digital tuners makes the tuning more precise and results in less opportunity for slide-rule tuner off-tuning artifacts from adjacent channel stations. Today's receivers commonly include DSP technology and better filters. Some may argue that while adjacent channel rejection is far superior in today's tuners, co-channel interference cannot be as easily filtered out. However, even if the Commission were to accept that position and take a more conservative approach, the technical advancements and public interest still dictate relaxing first and second adjacent channels protections and eliminating third adjacent protections, which would immensely improve the ability of stations to be more flexible in tower site selection and will allow AM stations to better cover a given market. Also, while modern receivers are fully capable of rejecting third adjacent interference, it may be wise to restrict third adjacent stations from collocating or operating within a third adjacent station's blanketing contour to avoid potential intermodulation artifacts.

Regarding co-channel, first, and second channel protection, Universal agrees with the SFNPRM's Daytime Hours Proposal that the 2mV/m contour should be considered the protected contour and agrees with the SFNPRM's Alternative 2 proposal for protection during critical hours to the 0.5mV/m contour level calculated on a site-to-site basis. Adopting these proposals will allow greater flexibility in siting.

#### **Class A Nighttime Protections Should Also Be Reduced**

With regard to nighttime protections, Universal recommends that the Commission adopt the SFNPRM's Nighttime Hours Proposal Alternative 1. Current nighttime protection levels are overly restrictive and not realistic in today's noisy AM environment, even in rural areas.

The current rules are not justified simply as a method to preserve large AM stations' expansive national coverage. These days, national coverage is best relegated to Internet satellite radio and, indeed, most of the overnight class A station personalities moved to satellite years ago. Further, the argument that nighttime coverage at current levels is necessary so that class A stations can communicate with the country in a national emergency is exaggerated and unsupported. As Dutreil, Lundin, and Rackley

correctly note in their comments, there is already a mechanism in place which could require all co-channel stations on class A frequencies to cease operation in a national emergency.<sup>3</sup> It would be possible to immediately clear the channel for interference-free coverage by clear channel stations in an emergency, and with current technology the process could even be automated. Universal believes that local nighttime service is more aligned with the public interest goals of the Commission than widely available nighttime coverage by the big class A stations.

### **Other Issues**

We also want to focus on how any changes might be implemented at the station level. One of the purposes of this proceeding is to allow greater flexibility in siting and improve coverage. Because of the increasing value of property, it is becoming less viable for stations to continue operating at their licensed locations. If stations own their site, taxes and operating costs are high, and property values can be more than the station's value. If leasing, either the rental costs are prohibitive or landlords are not renewing leases, preferring more lucrative uses for their property. Stations are facing the prospect of either finding someplace to relocate to or diplex from or turn in their license. It is, therefore, imperative that AM stations have more options for relocating or building smaller, more economical facilities.

The proposed rules can help in this respect, but the timing for implementation is critical. Making any new siting rules effective on a single date certain will inevitably create a gold rush mentality. This would, once again, likely leave smaller stations out in the cold as bigger stations quickly absorb all of the potential new coverage. Universal therefore recommends that the Commission open windows of availability. Stations proposing to relocate tower sites to diplex, build simpler antenna arrays and/or relax directional patterns to allow simpler patterns should be allowed to file first. Afterward, at-site power increases may be allowed.

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<sup>3</sup> See 47 U.S.C. § 606(c).

Further, Class C stations should be allowed to increase daytime power to the extent possible given their already tight allocations. In most cases, due to the current significant nighttime interference on class C frequencies, retaining the 1kw power level will probably be necessary.

### **Conclusion**

Due to the challenges smaller AM broadcasters face under the existing rules in today's changing media landscape, time for many AM broadcasters is getting short. Universal therefore respectfully requests that the Commission act expeditiously on the rule changes that are ripe for action, consistent with the foregoing comments.

Respectfully submitted,

UNIVERSAL STATIONS LLC

By: /s/ William Saurer

William Saurer  
President

February 8, 2019